

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
AIKEN DIVISION

Ismail Dickerson, # 15434,	)	C.A. No. 1:10-1625-TLW-SVH
	)	
Plaintiff,	)	
	)	
-versus-	)	ORDER
	)	
City of Charleston Police Department;	)	
Officer Sgt. L. Reed;	)	
Officer B. Wanamaker;	)	
Officer Galluccio;	)	
Officer Riccio;	)	
Officer Ambrose;	)	
K9-SPO, Officer Pitchford;	)	
K9-SPO, Officer O'Dell;	)	
K9-SPO, Officer D.C. Washington;	)	
Officer T.J. Dalinsky;	)	
Victim Jamar Byas;	)	
Bobby Warthaw, co-defendant, and	)	
Valentino Hayward, co-defendant,	)	
	)	
Defendants. <sup>1</sup>	)	
	)	

This matter is now before the undersigned for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Shiva V. Hodges, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.). In her Report, Magistrate Judge Hodges recommends that the Complaint in this case be dismissed without prejudice and without issuance and service of process as to Defendants Byas, Warthaw, and

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<sup>1</sup>The Court notes that Plaintiff has filed an Amended Complaint naming additional defendants, not noted in this caption, as they were not a part of the case at the time the Magistrate Judge prepared her Report and Recommendation.

Hayward, only. The Report recommends that the Complaint be served as to the remaining defendants. The plaintiff has filed no objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. No objections have been filed to the Report. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4<sup>th</sup> Cir. 1983).

A review of the record indicates that the Report accurately summarizes this case and the applicable law. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 13), and the Complaint in this case is **DISMISSED** without prejudice and without issuance and service of process as to Defendants Byas, Warhaw, and Hayward, only. As recommended, the Complaint shall be served as to the remaining defendants.

**IT IS SO ORDERED.**

s/ Terry L. Wooten  
**TERRY L. WOOTEN**  
**UNITED STATES DISTRICT JUDGE**

September 30, 2010  
Florence, South Carolina